

July 15, 2016



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20268

EXPIRATION DATE:2016-12-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: AUDI Aktiengesellschaft
Ingolstadt, Germany
2. AGENT: Dangerous Goods of America, Inc.
Doral, FL
3. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of prototype and low production lithium ion batteries that have not passed the UN-required tests and exceed 35 kg net weight via cargo aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
 - c. No party status will be granted to this special permit.

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- d. This special permit serves as an approval under Special Provision A88 and State Variation US 3 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
4. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107, 171- 180, and the ICAO TI.
5. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (9B) in that lithium batteries may not have a mass exceeding 35 kg per package and § 173.185(a) in that lithium batteries must be tested in accordance with the UN Manual of Tests and Criteria, except as specified herein.
6. BASIS: This emergency special permit is based on the application of AUDI Aktiengesellschaft dated June 22, 2016, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.
7. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries <i>including lithium ion polymer batteries</i>	9	UN3480	N/A

8. SAFETY CONTROL MEASURES:
- a. Operational Controls:

(1) Only prototype and low production lithium ion batteries may be offered for transportation under the terms of this special permit. Low production is a defined as annual production of not more than 100 batteries.

(2) The Samsung battery consists of no more than 100 cells (Samsung SDI Model CS0040B0002A).

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(3) The Sanyo battery consists of no more than 20 cells (Sanyo Electric Co., LTD Model UF121285) each with a maximum energy rating of 18.4 Wh.

(4) The KOKAM battery consists of no more than 20 cells (KOKAM Co., Ltd. Model SLPB) each with a maximum energy rating of 18.5 Wh.

(5) All batteries must be offered for transportation at a state of charge not exceeding 30 percent.

(6) The batteries must be equipped with an effective means of preventing dangerous reverse current flow if a battery contains cells or a series of cells that are connected in parallel.

b. Testing Requirements:

(1) All lithium ion cells (Sanyo Electric Co., LTD Model UF121285, Samsung SDI Model CS0040B0002A and KOKAM Co., Ltd. Model SLPB) must be of a type that have passed the required tests as specified in the "UN Manual of Tests and Criteria, 5th Revised Edition".

(2) The prototype or low production (annual production of not more than 100) lithium ion batteries need not be tested in accordance with the "UN Manual of Tests and Criteria, 5th Revised Edition".

c. Packaging Requirements:

(1) Each battery must be individually packaged in a fully enclosed non-metallic inner packaging and surrounded by cushioning material that is non-combustible, and non-conductive;

(2) Each battery must be protected against short circuiting;

(3) Each battery must be further packaged in a UN 4B aluminum or UN 4A steel outer packaging that meets Packing Group I performance criteria;

(4) No more than one Samsung battery is allowed per package;

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(5) No more than two Sanyo or two KOKAM batteries are allowed per package;

(6) Each package must meet additional requirements in Section 1A of ICAO TI Packing Instructions 965; and

(7) The net weight of batteries within a package may not exceed the following:

(i) Samsung battery: 75 kg

(ii) Sanyo battery: 16.6 kg

(iii) KOKAM battery: 8.2 kg

9. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit and destination.

e. The grantee must maintain a record of all activity conducted under the authority granted in this special permit and upon request make this information available to DOT representatives or enforcement officials. The record must contain a listing and number of shipments made to include:

(1) Dates of shipment; and

(2) Description of each type of shipment.

10. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft.

11. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
12. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

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13. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Steve Hwang